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ATTORNEYS FOR DEFENDANTS

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

TIM TEICHERT on behalf of THE ESTATE)
OF HERMAN TEICHERT and THE)
ESTATE OF MINERVA TEICHERT,)
)
Plaintiffs,)
)
vs.)
)
THE CHURCH OF JESUS CHRIST OF)
LATTER-DAY SAINTS, a Utah corporation)
sole,)
)
Defendant.)

Case No. 21-cv-00145-ABJ

STIPULATED MOTION TO CONTINUE DEADLINES

COME NOW Plaintiffs, by and through their undersigned counsel, together with Defendant, by and through its undersigned counsel, and pursuant to Local Rule 40.1(b), hereby jointly request that the Court modify the Amended Order On Initial Pretrial Conference filed on December 22, 2022 (Dkt. 44) to reschedule dates set forth therein as follows: (1) the discovery cutoff date originally scheduled for May 8,

2023 is rescheduled to September 8, 2023 (2) the filing deadline for filing Dispositive Motions originally scheduled for September 21, 2023, is rescheduled to January 19, 2023 and the response deadline originally scheduled for October 6, 2023 is rescheduled to February 6, 2024. It is anticipated that the other deadlines arising out of the Order On Initial Pretrial Conference (Dkt. 44) would likewise be extended by approximately 120 days in order to achieve the objectives of judicial economy, avoidance of duplicative and unnecessary proceedings, and waste of judicial and party resources as set further below.

In support of this Motion, the parties jointly inform the Court that Tim Teichert, as personal representative of the Estate of Minerva Teichert (“Plaintiff”), filed an additional lawsuit against the Defendant herein in the United States District Court for the Central District of California – Case No. 8:23-cv-00180-FWS-JDE (the “California Case”), raising copyright, Lanham Act, and California unfair competition claims. The parties state that substantial judicial economy and avoidance of waste of both party and judicial resources may be achieved through conducting joint fact and expert discovery in the Wyoming and California cases. The requested extension sought herein will also assist in allowing the parties to coordinate discovery in a manner that will avoid duplication of other related proceedings.

In further support of this stipulated request, the parties herein jointly acknowledge that: (1) Defendant/Church has filed a Motion for Change of Venue in the California Case to change venue to the first filed Wyoming District Court case (**Exhibit A attached hereto**)¹; (2) The Parties in The California Action Are Substantially Similar to the Parties in the Wyoming Litigation; (3) The Issues in the Wyoming Litigation Substantially Overlap with the Issues in California Case (**Exhibit B, attached hereto**)²; and (4)

¹ In the event that the Motion for Change of Venue is granted in the California Case (Hearing Set for May 19, 2023), The Church has indicated that it intends to move for consolidation of the California and Wyoming Cases in this Court. Accordingly, the parties are working together in this case to streamline fact and expert discovery and related proceedings in both California and Wyoming by way of this Stipulated Request for extension of deadlines.

² Like the allegations in the Wyoming Litigation, the allegations in the California case center around the Cokeville Paintings and Wyoming. See Compl. ¶¶ 18–25. Indeed, the core allegations in the California Case overlap those in the Wyoming Litigation as set forth below:

- Four of Minerva Teichert’s paintings were displayed in the Cokeville Ward Meetinghouse from 1955 to 2014: (1) The Song of Quetzalcoatl, (2) Relief Society Quilting, (3) Cast Your Nets on the Other Side, and (4) Handcart Pioneers. Compl. ¶¶ 19, 21; compare with Victorson Decl. Ex. D ¶¶ 17, 24.

Fact Discovery, Expert Discovery, and Dispositive Motions will also overlap in both the California and Wyoming cases.

Defendant and Plaintiffs stipulate to the relief requested herein.

DATED this 13th day of April, 2023.

THE CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, a Utah corporation sole

Defendant.

By: /s/ Lucas Buckley

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• Minerva Teichert entered into an oral agreement with the Church in which the placement of these four paintings in the Cokeville Ward Meetinghouse “was conditioned upon the fact that if” the Church decided “to replace or remove the Cokeville Paintings,” such paintings would be returned to Minerva Teichert or her heirs. Compl. ¶¶ 19–20; compare with Victorson Decl. Ex. D ¶¶ 13, 19–20, 23.

• In 2014, the Church informed members of the Teichert family that it intended to move The Song of Quetzalcoatl to a different location and might relocate other paintings as well. Compl. ¶ 22; compare with Victorson Decl. Ex. D ¶ 26.

• The Church relocated the painting over the objection of some Teichert family members. Compl. ¶¶ 23–24; compare with Victorson Decl. Ex. D ¶¶ 29–30.

• In 2020, the Church moved the other three paintings from the Cokeville Ward Meetinghouse to other locations. Compl. ¶ 25; compare with Victorson Decl. Ex. D ¶ 31.

• The Estate of Minerva Teichert owns the copyrights to three of the four Cokeville Paintings, as well as other paintings. Compl. ¶¶ 33–34; compare with Victorson Decl. Ex. D ¶ 18.

• Mr. Teichert is the administrator of the estates of Minerva Teichert and Herman Teichert and “is authorized to act on behalf of the estates and to investigate, pursue and enforce rights in property owned by” the estates. Compl. ¶¶ 6, 31–32; compare with Victorson Decl. Ex. D ¶¶ 3–4.

• Minerva Teichert never gave the Church “any rights to any of the Registered Works,” including the Registered Cokeville Paintings.² Compl. ¶ 41; compare with Victorson Decl. Ex. D ¶¶ 12–14.

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